

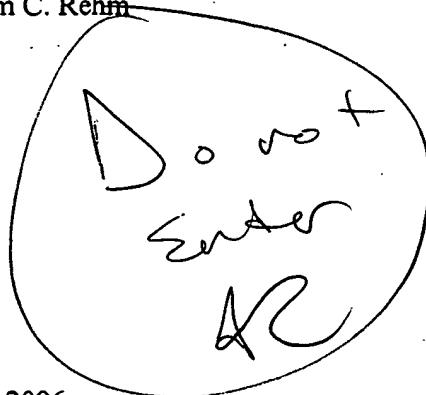
Attorney's Docket No.: 17268-002001 / KT-0029US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Hitoshi Takeda et al.
Serial No. : 10/788,881
Filed : February 27, 2004
Title : A VEHICULAR LAMP

Art Unit : 2875
Examiner : Adam C. Rehm

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



REPLY TO FINAL ACTION OF MAY 19, 2006

Claims 3-13 are pending for further examination.

Claims 3-13 were rejected as unpatentable over Stam et al. (U.S. Patent No. 6,593,698) and Turnbull et al. (U.S. Patent No. 5,803,579).

As discussed below, applicants disagree with those rejections and respectfully request reconsideration.

1) Regarding present claim 4, applicants previously submitted that there is no basis to combine the subject matter of the Stam et al. patent and the Turnbull et al. patent particularly because there is no motivation in either reference to suggest the claimed invention as a whole. Applicants assert that the Office action's rejections are the type of improper hindsight that the Federal Circuit has warned against.

A proper conclusion of obviousness under 35 U.S.C. § 103 requires that when a rejection depends on a combination of prior art references, "there must be some teaching, suggestion, or motivation to combine the references." See, e.g., *In re Rouffet*, 149 F.3d 1350, 1355, 47 USPQ2d 1453, 1456 (Fed. Cir. 1998). Furthermore, the showing of motivation to combine must

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